

REMARKS

The foregoing amendments are presented to place the application in compliance with the Sequence Rules under 37 C.F.R. § 1.821-1.825.

The current Notice indicates that a Notice dated June 16, 2005 was sent in error and is hereby withdrawn in favor of the new corrected Notice. The Office's indication is confusing, because the only Notice dated June 16, 2005 was a Notice of Acceptance of Application. An Official Filing Receipt was also mailed on that date. The PTO's online Patent Application Information Retrieval ("PAIR") system confirms that no other Notices were mailed on June 16, 2005. Accordingly, it is respectfully submitted that the Office should not withdraw the Notice of Acceptance dated June 16, 2005 as it would be improper and inconsistent with PTO practice to do so solely for deficiencies in the Sequence Listing. The Notice of Acceptance should not be withdrawn.

In reply to the Notice to Comply with the Sequence Rules, attached herewith is a Sequence Listing in both paper and computer readable form (CRF) as required by 37 C.F.R. § 1.821(c) and (e). The content of the paper copy and the CRF are the same. Amendments directing its entry into the Specification have also been incorporated herein.

The Sequence Listing was generated to provide a SEQ ID NO for the three nucleic acid sequences on page 9 of the disclosure.

The Specification has been amended at pages 9-10 to identify by SEQ ID NO. the disclosed sequences. The content of the paper and computer readable copies are the same.

No new matter has been added.

The attached Sequence Listing and the amendments to the Specification correct the errors noted in the Notice to Comply, a copy of which is attached herewith as required.

The Sequence Listing has been run through the PTO Checker software (version 4.4.0) and no errors were found.

In view of the foregoing, it is believed that each requirement set forth in the Notice has been satisfied, and that the application is now in compliance with the Sequence Rules under 37 C.F.R. § 1.821-1.825.

Attorney Docket No. 2005_0047A
Serial No. 10/522,137
February 28, 2007

Favorable action on the merits is respectfully requested.

Respectfully submitted,

Kenichi YAMASHITA et al.

By:


Jay F. Williams

Registration No. 48,036

Attorney for Applicants

JFW/akl
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
February 28, 2007